

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re: :
 :
THE FINANCIAL OVERSIGHT AND : PROMESA
MANAGEMENT BOARD FOR PUERTO RICO, : TITLE III
 :
as representative of : Case No.: 17-BK-3283 (LTS)
 :
THE COMMONWEALTH OF PUERTO RICO, : (Jointly Administered)
 :
Debtors.¹ :
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**[PROPOSED] ORDER GRANTING THE DRA PARTIES' MOTION IN LIMINE
TO EXCLUDE CERTAIN FRCP 26(a)(2)(C) EXPERT WITNESSES OR TESTIMONY**

Upon consideration of the *DRA Parties' Motion In Limine To Exclude Certain FRCP 26(a)(2)(C) Expert Witnesses or Testimony*, [Docket No. ____] (the "Motion in Limine"); the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); the Court determining that venue of this proceeding in this District is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a); and the Court after due deliberation and sufficient cause appearing; therefore, it is,

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

HEREBY ORDERED THAT:

The Motion *in Limine* is GRANTED, to the extent set forth herein.²

1. The expert opinion testimony of Mr. Herriman shall be [precluded in its entirety | limited to opinions he formed from his own direct, personal involvement in the underlying facts on which his testimony is based].
2. The expert opinion testimony of Mr. Malhotra shall be [precluded in its entirety | limited to opinions he formed from his own direct, personal involvement in the underlying facts on which his testimony is based].
3. The expert opinion testimony of Mr. Shah shall be [precluded in its entirety | limited to opinions he formed from his own direct, personal involvement in the underlying facts on which his testimony is based].
4. The FOMB shall submit updated expert disclosures for Mr. Herriman, Mr. Malhotra, and Mr. Shah within seven (7) days of this Order; Upon provision of these updated disclosures, the DRA Parties shall be allowed to: (i) to depose these witnesses further with the benefit of these updated disclosures; (ii) identify further rebuttal experts necessary to respond to the updated disclosures of these witnesses; and (iii) supplement the DRA Parties' currently identified rebuttal experts' opinions with respect to these disclosures.
5. The Plan confirmation proceedings shall be adjourned until such time as the FOMB submits updated expert disclosures for Mr. Herriman, Mr. Malhotra, and Mr. Shah. Upon provision of these updated disclosures, the DRA Parties shall be allowed to: (i) to depose these witnesses further with the benefit of these updated disclosures;

² Capitalized terms not otherwise defined herein, shall have the meaning ascribed to those terms in the Motion *in Limine*.

(ii) identify further rebuttal experts necessary to respond to the updated disclosures of these witnesses; and (iii) supplement the DRA Parties' currently identified rebuttal experts' opinions with respect to these disclosures.

SO ORDERED.

Dated: _____

LAURA TAYLOR SWAIN
United States District Judge